IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 26TH DECEMBER 2006 / 5TH POUSHA 1928

Bail Appl..No. 7597 of 2006()

CMP.2807/2006 of J.M.F.C.-II, CHENGANNUR
CRIME NO.190/06 OF CHENGANNUR EXCISE RANGE.

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: PETITIONER/ACCUSED:

RADHA, W/O.SASI,
THUNDATHIL PADEETTATHIL VEEDU,
KUTTAMPEROOR MURI, MANNAR VILLAGE,
CHENGANNUR TALUK.

BY ADV. SRI.ANOOP MATHEW ABRAHAM
SRI.LATHEESH SEBASTIAN

RESPONDENTS: STATE:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. EXCISE RANGE OFFICER,
CHENGANNUR EXCISE RANGE OFFICE.

BY PUBLIC PROSECUTOR SHRI K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION No.7597 OF 2006

DATED THIS THE 26TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner, a lady, who is the accused in Crime No.190/06 of Chengannur Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of 1.5 litres of arrack on 24.10.2006.seeks her enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in another case involving similar offence.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec.41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-